

PATENT
ATTORNEY DOCKET NO. 01948/090003

Certificate of Mailing	
Date of Deposit: <u>November 10, 2005</u>	Label Number: <u>EV768764487US</u>
I hereby certify under 37 C.F.R. § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Elvis DeLaCruz</u>	<u>[Signature]</u>
Printed name of person mailing correspondence	Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Benjamin G. Neel et al.	Art Unit:	Not yet assigned
Serial No.:	10/520,225	Examiner:	Not yet assigned
Filed:	January 4, 2005	Customer No.:	21559
Title:	COMBINATION OF MTOR INHIBITOR AND A TYROSINE KINASE INHIBITOR FOR THE TREATMENT OF NEOPLASMS		

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS

In reply to the Notification of Missing Requirements that was mailed in connection with the above-captioned application on July 11, 2005, a copy of which is enclosed, applicant, as a small entity, submits the following:

A surcharge under 37 C.F.R. § 1.492(h) of \$65.00, because the declaration is being submitted after 30 months from the priority date.

Payment of the application search fee of \$50.00.

Payment of the application examination fee of \$100.00.

Payment of additional claims fees of \$350.00.

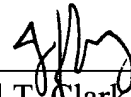
Applicant claims small entity status under 37 C.F.R. § 1.27.

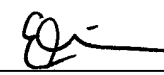
Enclosed is a Petition to extend the period for replying to the Notification for two months, to and including November 11, 2005, and a check in payment of the required extension fee.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: November 10, 2005


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11/17/2005 GFREY1 00000006 10520225

01 FC:2641	50.00 OP
02 FC:2633	100.00 OP
03 FC:2615	350.00 OP
04 FC:2617	65.00 OP



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,225	Benjamin G Neel	01948/090003

INTERNATIONAL APPLICATION NO.	
PCT/US03/20972	
I.A. FILING DATE	PRIORITY DATE
07/03/2003	07/05/2002

21559
 CLARK & ELBING LLP
 101 FEDERAL STREET
 BOSTON, MA 02110

CONFIRMATION NO. 2583

371 FORMALITIES LETTER



OC000000016476269

Date Mailed: 07/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/04/2005
- Copy of the International Search Report filed on 01/04/2005
- Preliminary Amendments filed on 01/04/2005
- Oath or Declaration filed on 01/04/2005
- Request for Immediate Examination filed on 01/04/2005
- U.S. Basic National Fees filed on 01/04/2005
- Priority Documents filed on 01/04/2005

ACTION DUE Reply
 DUE DATE 9.11.05
 ESP 1.11.06
 INITIALS Drum

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$350 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$565** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
 - The application search fee has not been paid. Applicant must submit **\$50** to complete the search fee.
 - The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27
- Total additional claim fee(s) for this application is **\$ 350**
 - **\$350** for **14** total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,225	PCT/US03/20972	01948/090003